

SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 85

AN ACT

To amend chapter 163, RSMo, by adding thereto one new section relating to local control school districts.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 163, RSMo, is amended by adding thereto one new section, to be known as section 163.201, to read as follows:

163.201. 1. Any public school district or public charter school shall be designated as a local control school district by the department only if:

(1) The district or charter school certifies to the department in writing that it intends to be designated as a local control school district pursuant to the provisions of this section; and

(2) The department has verified that the designation of local control school district does not result in the loss of any federal funds.

2. A local control school district shall not be required by the department to participate in:

- (1) The Missouri school improvement program;
- (2) Annual performance reviews by the department;
- (3) Developing standards of teaching to be provided to the department as set forth in section 160.045; or
- (4) The maintaining of a school improvement plan in any format provided by or approved by the department.

The local board of education or governing body of a charter school for a local control school district may decide by a majority vote to require the district to develop and

publicly display a continuous improvement plan for the district.

3. A local control school district shall not be assigned the classification of unaccredited, provisionally accredited, accredited, or accredited with distinction based on the standards of the Missouri school improvement program.

4. A local control school district shall have the ability to develop and implement a district assessment plan consisting of a standardized assessment of academic subject areas aligned to the district's subject area curriculum in lieu of the Missouri assessment program. The district shall not in any way be advised or incentivized by the department to purchase, adopt, or implement curriculum resources, software programs, or assessments purchased from commercial vendors. No assessment items shall be developed from materials provided to the district or teachers by entities that have not been formally reviewed and adopted by the district's board of education or governing body. Any standardized assessment implemented by a local control school district shall provide data that enables a comparison of student achievement on the assessment in the district to student achievement on the assessment across the nation and the state of Missouri. The department shall post such comparative data on the annual performance report cards required under the provisions of subsection 160.522. Local control school districts may form a consortium without state board of education approval for the purpose of developing, reporting, or purchasing assessments in their district assessment plans. A local control school district shall notify the state board of education of its intent to implement a district assessment plan by June thirtieth prior to the following school year. If a local control school district does not meet the requirements of this subsection

in any school year, the department shall immediately revoke such district's designation as a local control school district, and the provisions of this section shall no longer apply. The department shall notify a local control school district within five business days of any such revocation.

5. All data shall remain at a local control school district on servers secured according to industry standards. Only aggregate data shall be shared outside of the district. No personally identifiable information shall be forwarded to publicly funded or private agencies, including vendors.

6. A local control school district may continue to receive state aid through this chapter or section 160.415.

7. A local control school district may apply for grants and shall be considered for such grants without prejudice or penalty.

8. Provided that the designation of local control school district does not result in any loss of federal funds, a local control school district that meets the requirements of subsections 1 and 4 of this section shall continue to be designated as a local control school district until the district certifies to the department in writing that the district no longer intends to be designated as a local control school district. Upon receiving such notification, the provisions of this section shall no longer apply.

9. The department shall seek any necessary waivers from the United States Department of Education in order to implement the provisions of this section and shall ensure that the implementation of this section does not result in any loss of federal funds. If the designation of local control school district results in any loss of federal funds, the department shall immediately revoke the

designation and notify the district within five business days of any such revocation.

10. As used in this section, the following terms shall mean:

(1) "Academic subject area", English language arts; traditional or classical mathematics; science anchored in the scientific method; history and governments, and traditional civics. The subject area of English language arts shall not include material identified in chapter 573. The subject area of history and governments shall incorporate geography and the history and governments of the United States and the world derived from primary source documents;

(2) "Department", the Missouri department of elementary and secondary education;

(3) "Personally identifiable information" or "PII", any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual, regardless of whether the individual is a United States citizen, legal permanent resident, visitor to the United States, or employee or contractor with the department of elementary and secondary education. "Personally identifiable information" or "PII" includes sensitive PII;

(4) "Sensitive PII", personally identifiable information that if lost, compromised, or disclosed without authorization could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual;

(5) "Student", a person who is a resident of the state and enrolled in a local educational agency.